

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant: TANAKA et al. Examiner: Unknown  
Serial No.: 10/700,098 Group Art Unit: 1746  
Filed: November 3, 2003 Docket: 10873.1321US01  
Title: FUEL CELL

IFW



**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 21, 2004.

By:   
Name: Jennifer Holden

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

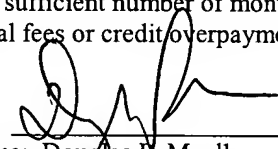
Sir:

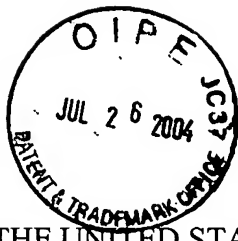
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 4 References
- ☒ Other: European Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Douglas P. Mueller  
Reg. No.: 36,300  
DPM/jh



S/N 10/700,098

PATENT

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Applicant:	TANAKA et al.	Examiner:	Unknown
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By: \_\_\_\_\_  
Name: Jennifer Holden

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a European Search Report mailed June 21, 2004.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

**Certification Under 37 C.F.R. § 1.704(d)**

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the European Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

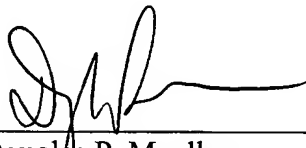
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612) 332-5300

Dated: July 21, 2004

By: \_\_\_\_\_

  
Douglas P. Mueller  
Reg. No. 30,300

DPM/jh

**23552**

PATENT TRADEMARK OFFICE

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

10873.1321US01

Application Number:

10/700,098

Applicant: TANAKA et al.

Filing Date: November 3, 2003

Group Art Unit: 1746

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/037449	03.2002	Binder et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 874 413	10.1998	EP				
	0 637 851	02.1995	EP				
	01/28024	04.2001	WO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.